

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

Ann Shelby,

Plaintiff,

v.

1) Rebecca Nyhus and Jordan Berry d/b/a
Plasticland, a Texas unincorporated business,
2) Socksmith Design, Inc., a California corp.,
3) Forum Novelties, Inc., a New York corp.,
4) HK Web Marketing LLC, d/b/a Wonder
Costumes, LLC, a Florida limited liability co.,
5) Blockbuster Costumes, LLC., a Delaware
limited liability co., 6) Spencer Gifts
Costumes LLC, a Delaware limited liability
co., 7) Walmart.com USA, LLC, a California
limited liability co.,

Defendants.

Case No. CIV-16-432-D

**DEFENDANTS' MOTION FOR LEAVE TO APPEAR TELEPHONICALLY AT
MAY 3, 2017 HEARING**

Defendants Forum Novelties, Inc., HK Web Marketing, LLC;, LLC; BlockBuster Costumes, LLC; Spirit Halloween Superstores LLC, and Spencer Gifts Costumes, LLC (“Defendants”) move this Court to allow their co-counsel, Jeanne K. Spital, to appear telephonically at the status and scheduling conference set for May 3, 2016, at 9:30 a.m. In support of this motion, the parties state the following:

1. Co-counsel for Defendants are located in Miami, Florida.

2. Defendants' Co-counsel Craig Fitzgerald will appear in person.
3. Allowing Co-counsel to appear telephonically will save Defendants considerable resources, and will not adversely affect the proceedings.
4. Based on the above, Defendants respectfully request that the Court grant counsel leave to appear telephonically at the hearing set for May 3, 2017 at 9:30 a.m.
5. A proposed order is submitted herewith.

Respectfully submitted,

By: /s/ Jeanne K. Spital

Edward S. Polk

Florida Bar Number: 239860

Jeanne K. Spital

Florida Bar Number: 344273

Cole Scott & Kissane Building

9150 South Dadeland Blvd., Suite 1400

Miami, FL 33256

Telephone: (305) 350-5338

Facsimile: (305) 373-2294

Primary email: Edward.Polk@csklegal.com

Primary email: Jeanne.Spital@csklegal.com

Secondary email:

Susana.Rodriguez@csklegal.com

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2017, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to all the ECF registrants:

/s/Jeanne K. Spital

Jeanne K. Spital

[\\mia-file\miadoc\160713_0001\32212241 motion - blank \(additional captions\).do](\\mia-file\miadoc\160713_0001\32212241 motion - blank (additional captions).do)

CASE NO.: CIV-16-432-D